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April 7, 2017

BY ECF

Honorable Magistrate Judge Steven M. Gold
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Docket No. 15-cv-5724
Letter-Motion to adjourn Conference

Your Honor:

I am associated with Novo Law Firm, PC, and as such, am one of the attorneys who represent Mr. Ortiz in the above referenced matter.

Please accept this letter-motion respectfully request a Stay in this case. In the alternative, please accept this letter-motion respectfully requesting an adjournment of the initial conference and discovery in this matter.

I have contacted Mr. Brustein, attorney for Defendants to this matter and he consents to both the request and the alternative request.

The reason for this motion is because the underlying criminal action has taken much longer than anticipated. In fact, it continues to this day. After the most recent telephone conference with all parties and Your Honor, Plaintiff was given time to amend his Complaint. While preparing to do so, it became clear that there were many potential causes of action not yet ripe, which may become viable after the criminal action concludes. Plaintiff respectfully submits that rather than amending his Complaint now only to have to amend again at a later time would be a waste of the judicial economy and of expenses to this case with filing and service costs. Additionally, Defendants would need to interpose an Answer each time the Complaint was amended.

Thus, Plaintiff believes that staying this matter until the criminal case is resolved would result in a net gain of time, resources and the judicial economy. Plaintiff would respectfully request that in the event this Honorable Court agrees and grants either a stay or an adjournment

of this matter, that this would also include an extension of time to file an Amended Complaint with a deadline to be set only after the close of the criminal action. Of course, Plaintiff would respectfully request that Defendants should then be afforded the same amount of time to subsequently file their Answer to said Amended Complaint.

The Court's consideration of this request is greatly appreciated.

Respectfully submitted,



Ellie Silverman

CC: VIA ECF: to all parties